

REMARKS

Reconsideration and withdrawal of the rejections to the claims set forth in the Office Action of July 21, 2004 are respectfully requested in view of the following remarks.

Status of the claims

Claims 1-9 are pending.

Claims 1, 4 and 6-8 stand rejected under 35 U.S.C. § 103.

Claims 1 and 4 have been canceled without prejudice.

Claims 2, 5, 6, and 7 have been amended.

None of the amendments to the claims introduces new matter.

Claim Rejections – 35 U.S.C. § 103

The Examiner has rejected claims 1, 4, and 6-8 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,402,924 to Martin et al. (“the Martin reference”) in view of U.S. Patent No. 4,353,333 to Lio. Reconsideration and withdrawal of this rejection are respectfully requested based on the following remarks

Applicant has canceled claims 1 and 4 without prejudice, rendering the rejection to these claims moot.

Applicant has amended claim 6 to depend on what is believed to be allowable claim 5, and thus the rejection to claim 6 should also be withdrawn.

Claims 7 and 8 which are dependent on claim 6 are similarly patentable.

Allowable Subject Matter

Claims 2, 3, 5, and 9 are objected to as being dependent on a rejected base claim, but would otherwise be allowable if rewritten in independent form. Applicant has rewritten claims 2

and 5 in independent form, including all of the limitations of base claims 1 and 4, respectively.

Withdrawal of the objection to claims 2, 3, 5, and 9 is respectfully requested.

Conclusion

In view of the foregoing, the application is now believed to be in condition for formal allowance. Prompt and favorable action is respectfully requested. Applicant does not believe that any additional fee is required in connection with the submission of this document. However, should any additional fee be required, or if any overpayment has been made, the Commissioner is hereby authorized to charge any fees, or credit or any overpayments made, to Deposit Account 02-4377.

Respectfully submitted,

BAKER BOTTS L.L.P.

By:

  
Eric J. Faragi  
Gary M. Butler  
Patent Office Reg. No. 33,841  
Attorney for Applicant

Eric J. Faragi  
Patent Office Reg. No. 51,259  
Agent for Applicant

30 Rockefeller Plaza  
New York, NY 10012-4498  
212-408-2500